

No. 9/3/87-6Lab./1620.—In pursuance of the provision of Section 17 of the Industrial Disputes Act, 1947 (Central Act No. XIV of 1947), the Governor of Haryana is pleased to publish the following award of Presiding Officer, Labour Court Faridabad in respect of the dispute between the workman and the management of M/s Parkash Agro Industries, 311/24, Faridabad.

IN THE COURT OF SHRI A. S. CHALIA, PRESIDING-OFFICER, LABOUR COURT,
FARIDABAD

Reference No. 436 of 1986

between

SHRI SUKH RAM WORKMAN AND THE RESPONDENT-MANAGEMENT OF
M/S PARKASH AGRO INDUSTRIES, 311/24, FARIDABAD.

Present :

None for the parties.

AWARD

This reference under Section 10 (1) (C) of Industrial Disputes Act, 1947 (Act No. 14 of 1947) as amended from time to time and latest by Act No. 49 of 1984 (hereinafter referred as the said Act) was made to this Court by the State of Haryana (Department of Labour),—*vide* its endorsement No. 1D/FD/128-86/38693-698, dated 15th October, 1986 to adjudicate upon the dispute of service matter covered by Second Schedule under Section 7 of the said Act, arisen between Shri Sukh Ram, workman and the respondent-management of M/S. Parkash Agro Industries, 311/24, Faridabad. Accordingly it has been registered as reference No.436 of 1986.

2. In this case the parties were summoned for 10th December, 1986 but no body has turned up today. It means that the workman is not interested to pursue the reference. The reference is hereby consigned to records.

A. S. CHALIA,

Presiding Officer,
Labour Court, Faridabad.

Dated; the 4th February, 1987.

Endorsement No. 240, dated the 24th February, 1987.

Forwarded (four copies) to the Commissioner and Secretary to Government, Haryana, Labour and Employment Departments, Chandigarh as required under section 15 of Industrial Disputes Act.

A. S. CHALIA,

Presiding Officer,
Labour Court, Faridabad.

No. 9/3/87-6Lab./1621.—In pursuance of the provisions of section 17 of the Industrial Disputes Act, 1947 (Central Act No. XIV of 1947), the Governor of Haryana is pleased to publish the following award of Presiding Officer, Labour Court, Faridabad, in respect of the dispute between the workman and the management of M/s. Sama Engineering Works, Link Road, Old Faridabad.

IN THE COURT OF SHRI A. S. CHALIA, PRESIDING OFFICER, LABOUR COURT,
FARIDABAD

Reference No. 480 of 1985

between

SHRI MAHINDER RAI, WORKMAN AND THE RESPONDENT-MANAGEMENT
OF M/S SAMA ENGINEERING WORKS, LINK ROAD, OLD FARIDABAD

Present :

None for the workman.

Shri J. S. Saroha for the respondent.

AWARD

This reference under Section 10 (1) (c) of Industrial Disputes Act, 1947 (Act No. 14 of 1947) as amended from time to time and latest by Act, No. 49 of 1984 (hereinafter referred as the said Act) was made to this Court by the State of Haryana (Department of Labour),—vide its endorsement No. ID/FD/85/34574, dated Nil to adjudicate upon the dispute of service matter covered by Second Schedule under Section 7 of the said Act, arisen between Shri Mahinder Rai, workman and the respondent-management of M/s. Sama Engineering Works, Link Road, Old Faridabad. Accordingly, it has been registered as reference No. 480 of 1985.

2. The workman has not turned up though today is the last chance for him to appear in the Court. From the side of the respondent plea has been taken that matter in dispute has already been settled with this workman and the amount due has also been paid to him. This contention appears to be correct. The reference accordingly is answered against the workman to the effect that he has settled the service matter with the respondent.

A. S. CHALIA,

Dated the 4th February, 1987.

Presiding Officer,
Labour Court, Faridabad.

Endorsement No. 138, dated 24th February, 1987.

Forwarded (four copies) to the Commissioner and Secretary to Government, Haryana, Labour and Employment Department, Chandigarh, as required under section 15 of the Industrial Disputes Act.

A. S. CHALIA,

Presiding Officer,
Labour Court, Faridabad.

No. 9/3/87-6Lab./1755.—In pursuance of the provision of section 17 of the Industrial Disputes Act, 1947 (Central Act No. XIV of 1947), the Governor of Haryana is pleased to publish the following award of Presiding Officer, Labour Court, Faridabad, in respect of the dispute between the workman and the management of M/s Avon Fastner, 16/4, Mathura Road, Faridabad.

IN THE COURT OF SHRI A. S. CHALIA, PRESIDING OFFICER, LABOUR COURT, FARIDABAD

Reference No. 347 of 1985

between

SHRI ABDUL GAFAR C/O 1/1158, BABA NAGAR, FARIDABAD, WORKMAN AND THE
RESPONDENT-MANAGEMENT OF M/S AVON FASTNER, 16/4, MATHURA
ROAD, FARIDABAD

Present:

Shri R. L. Sharma for the workman.

None for the respondent-management.

AWARD

This reference under section 10 (1) (c) of Industrial Disputes Act, (Act No. 14 of 1947) as amended from time to time and latest by Act No. 49 of 1984 (hereinafter referred as the said Act) was made to this Court by the State of Haryana, (Department of Labour),—vide its endorsement No. ID/FD/41-85/27675—80, dated 3rd July, 1985 to adjudicate upon the dispute of service matter covered by Second Schedule under section 7 of the said Act, arisen between Shri Abdul Gafar workman and the respondent-management of M/s. Avon Fastner, 16/4, Mathura Road, Faridabad. Accordingly, it has been registered as reference No. 347 of 1984.

2. Abdul Gafar was in the service of the respondent and his services were terminated on 15th April, 1985. He was working as a Turner/Foreman getting monthly pay of Rs. 900/-. The allegations are that his services were terminated in an arbitrary manner and he, accordingly be reinstated in his job with full back wages and further with continuity of service.

3. On notice, respondent had filed written statement contesting the said reference. My learned predecessor had framed the material issues on 13th November, 1985. From the side of the respondent Shri Virinder Kumar Chawla, has appeared. On the other hand there is statement of Abdul Gafar. I have heard Representatives of the workman. No one has come forward from the side of the respondent. My findings are as below: —

Issue No. 3:

4. It has been claimed by the workman that he was employed by the respondent in January, 1983,—vide appointment letter Ex. W-1 and his services were terminated in April, 1985. On the other hand, it was stated by Shri Chawla that he was never employed. On the face of it this contention of the respondent appears to be a false one. The workman has produced appointment letter Ex. W-1 and on the face of it, it is in his favour. There is no dispute that no notice pay or retrenchment compensation were paid to him, and as such there was no compliance of section 25-F of the said Act. The order of termination is accordingly revoked and he is reinstated on the job with full back wages and further with continuity of service.

Issue Nos. 1 and 2 :—

5. These issues were to be proved by the respondent who has chosen to remain absent from the Court for the reasons best known to him and the same are accordingly disposed of.

6. As a result of the above discussion I accept the reference and answer the same in favour of the workman with full back wages and further with continuity of service.

A. S. CHALIA,

Presiding Officer,
Labour Court, Faridabad.

Dated the 18th February, 1987.

Endst. No. 426, dated the 3rd March, 1987.

Forwarded (four copies), to the Commissioner and Secretary to Government, Haryana, Labour and Employment Departments, Chandigarh, as required under Section 15 of Industrial Disputes Act.

A. S. CHALIA,

Presiding Officer,
Labour Court, Faridabad.

No. 9/3/87-6Lab./1756.—In pursuance of the provision of section 17 of the Industrial Disputes Act, 1947 (Central Act No. XIV of 1947), the Governor of Haryana is pleased to publish the following award of Presiding Officer, Labour Court, Faridabad, in respect of the dispute between the workman and the management of M/s Narang Metal & Engg. Works, Pvt. Ltd., Gurgaon.

IN THE COURT OF SHRI A. S. CHALIA, PRESIDING OFFICER, LABOUR COURT,
FARIDABAD

Reference No. 92 of 1986

between

SHRI CHARAN SINGH, WORKMAN C/O SHRI SHARDHA NAND, AITUC UNION,
DELHI ROAD, GURGAON, AND THE RESPONDENT-MANAGEMENT
OF M/S NARANG METAL & ENGG. WORKS, PVT. LTD.,
GURGAON

Present :—

Shri Shardha Nand for the workman.

None for the respondent-management.

AWARD

This reference under section 10(1)(c) of Industrial Disputes Act, 1947 ((Act No. 14 of 1947), as amended from time to time and latest by Act No. 49 of 1984 (hereinafter referred as the said Act) was made to this Court by the State of Haryana (Department of Labour),—vide its endorsement No. ID/FD/113—85/7400—5, dated 25th February, 1986, to adjudicate upon the dispute of service matter covered by Second Schedule under section 7 of the said Act, arisen between Shri Charan Singh, workman and the respondent-management of M/s Narang Metal and Engg. Works Pvt. Ltd., Gurgaon. Accordingly, it has been registered as reference No. 92 of 1986.

2. Charan Singh was appointed by the respondent on 11th November, 1976 as a Technical Supervisor at monthly pay of Rs. 500 and his services were terminated on 15th September, 1985. The allegations are that his services were illegally and arbitrarily terminated and as such he be reinstated with full back wages and continuity of service.

3. On notice, respondent had filed written statement contesting the said reference. My learned predecessor had framed the material issues on 2nd June, 1986 :—

(i) As per reference.

4. This reference was fixed on 15th September, 1986 for the evidence of the respondent but no one had come present and it was adjourned to 6th October, 1986 on payment of Rs. 50 as costs. Again on that day no one had come present and the same was adjourned for 3rd November, 1986 on payment of Rs. 75 as costs then it was fixed on 3rd February, 1987 and on that day no body on behalf of the respondent had turned up and costs were also not paid by any body. Its defence had to be struck off. In view of the claim Charan Singh has appeared and stated on oath. Accordingly to him he was appointed on 11th November, 1976 and in support of the same reference has been made to ESI Card Ex. W-1. In this way there is no dispute that he was in continuous service of the respondent and he has leave ousted without any notice and payment of compensation. The said order on the face of it appears to be an arbitrarily one and same is hereby revoked. He is accordingly reinstated into his job with full back wages and further with continuity of service.

Dated, the 16th February, 1987.

A. S. CHALIA,

Presiding Officer,
Labour Court, Faridabad.

Endorsement No. 427, dated the 3rd March, 1987.

Forwarded (four copies), to the Commissioner and Secretary to Government, Haryana, Labour and Employment Department, Chandigarh, as required under section 15 of the Industrial Disputes Act.

A. S. CHALIA,

Presiding Officer,
Labour Court, Faridabad.

N. 9/3-37-5Lab./1753.—In pursuance of the provisions of section 17 of the Industrial Disputes Act 1947 (Central Act No. XIV of 1947), the Governor of Haryana is pleased to publish the following award of Presiding Officer, Labour Court, Faridabad, in respect of the dispute between the workman and the management of M/s Khosla Foundry Ltd., 18/8 Mathura Road, Faridabad:—

IN THE COURT OF SHRI A. S. CHALIA, PRESIDING OFFICER,
LABOUR COURT, FARIDABAD

Reference No. 36 of 1985

between

SHRI RAM BACHAN, YADAV, WORKMAN AND THE RESPONDENT-MANAGEMENT OF M/S
KHOSLA FOUNDRY LTD., 18/8, MATHURA ROAD, FARIDABAD

Present.—

None for the workman

Shri J. S. Saroha, for the respondent.

AWARD

This reference under section 10 (1) (c) of Industrial Disputes Act, 1947 (Act No. 14 of 1947) as amended from time to time and latest by Act No. 49 of 1984 (hereinafter referred as the said Act) was made to this Court by the State of Haryana (Department of Labour),—vide its endorsement No. ID/ FD/83-84/5289-94, dated 14th February, 1985 to adjudicate upon the dispute of service matter covered by Second Schedule under section 7 of the said Act, arisen between Shri Ram Bachan workman and the respondent-management of M/s Khosla Foundry Ltd., 18/8, Mathura Road, Faridabad. Accordingly, it has been registered as reference No. 36 of 1985.

2. The workman has not turned up. This case is being fixed for his statement since April, 1986. It means that he is not interested in pursuing the reference and the same is hereby consigned to record.

Dated the 27th February, 1987.

A. S. CHALIA,
Presiding Officer,
Labour Court, Faridabad.

Endorsement No. 422, dated 3rd March, 1987.

Forwarded (four copies) to the Commissioner and Secretary to Government, Haryana, Labour and Employment Department, Chandigarh, as required under section 15 of the Industrial Disputes Act.

A. S. CHALIA,
Presiding Officer,
Labour Court, Faridabad.

No. 9/3/87-6Lab./1761.—In pursuance of the provision of section 17 of the Industrial Disputes Act, 1947 (Central Act No. XIV of 1947), the Governor of Haryana is pleased to publish the following award of Presiding Officer, Labour Court, Faridabad, in respect of the dispute between the workman and the management of M/s Perfect Mack Ltd., (Paper Division) 27, Industrial Area, Faridabad :—

IN THE COURT OF SHRI A. S. CHALIA, PRESIDING OFFICER, LABOUR COURT,
FARIDABAD

Reference No. 396 of 1986

between

SHRI MOHAN JHA, WORKMAN H. NO. 1304, SECTOR 17, FARIDABAD AND
THE RESPONDENT-MANAGEMENT OF M/S PERFECT MACK LTD.,
(PAPER DIVISION) 27, INDUSTRIAL AREA, FARIDABAD

Present:—

workman with Shri Jawahar Lal.

None, for the respondent-management.

AWARD

This reference under section 10(1)(c) of Industrial Disputes Act, 1947 (Act No. 14 of 1947), as amended from time to time and latest by Act No. 49 of 1984 (hereinafter referred as the said Act) was made to this Court by the State of Haryana (Department of Labour),—vide its endorsement No. 1D/FD/120-86/36528—33, dated 1st October, 1986 to adjudicate upon the dispute of service matter covered by Second Schedule under section 7 of the said Act, arisen between Shri Mohan Jha, workman and the respondent-management of M/s Perfect Pack Ltd., (Paper Division) 27, Industrial Area, Faridabad. Accordingly, it has been registered as reference No. 396 of 1986.

2. Mohan Jha, was appointed by the respondent on 1st January, 1985 as a helper and his services were terminated on 7th May, 1986. The allegations are that the same were terminated illegally and in an arbitrarily manner and as such he be reinstated with full back wages and further with continuity of service.

3. Notice was issued to the respondent and Shri K. P. Aggarwal had appeared on 3rd December, 1986 and then on 13th January, 1987. He had not appeared on 5th February, 1987 and as such respondent was proceeded *ex parte*.

4. In support of the claim there is statement of Shri Mohan Jha, It has been stated by him that he was employed on 1st January, 1985 and he was not allowed to resume his duty on 7th May, 1986. On the face of it he had completed service of more than 240 days and is entitled for protection. There is no dispute that no notice pay or retrenchment compensation were ever offered or paid to him and as such there is violation of section 25-F of the said Act. The order of termination is hereby set aside and he is reinstated in his job with continuity of service and further with full back wages.

The award is passed answered accordingly.

Dated the 12th January, 1987.

A. S. CHALIA,
Presiding Officer,
Labour Court, Faridabad.

Endst. No. 123, dated the 3rd March, 1987.

Forwarded (four copies) to the Commissioner and Secretary to Government Haryana, Labour and Employment Department, Chandigarh, as required under Section 15 of Industrial Disputes Act.

A. S. CHALIA,
Presiding Officer,
Labour Court, Faridabad.

No. 9/3/87-6Lab./1762.—In pursuance of the provision of Section 17 of the Industrial Disputes Act, 1947 (Central Act No. XIV of 1947) the Governor of Haryana is pleased to publish the following award of Presiding Officer, Labour Court, Faridabad in respect of the dispute between the Workman and the Management of M/s Neeraj Enterprises Plot No. 128, Sector 6, Faridabad.

IN THE COURT OF SHRI A. S. CHALIA, PRESIDING OFFICER, LABOUR COURT,
FARIDABAD

Ref. No. 32 of 1987.

between

SHRI RAMU RAM WORKMAN AND THE RESPONDENT OF M/S. NEERAJ ENTER-
PRISES, PLOT NO. 128, SECTOR 6, FARIDABAD

Present:

Shri Amar Singh Sharma, the for workman.

Shri Hira Singh Kaushik, for the respondent.

AWARD

This reference under Section 10(1) (c) of Industrial Disputes Act, 1947 (Act No. 14 of 1947) as amended from time to time and latest by Act No. 49 of 1984 (hereinafter referred as the said Act) was made to this Court by the State of Haryana (Department of Labour),—vide its endorsement No. ID/FD/680-85, dated 8th January, 1987 to adjudicate upon the dispute of service matter covered by Second Schedule under section 7 of the said Act, arisen between Shri Ramu Ram, workman and the respondent management of M/s. Neeraj Enterprises, Plot No. 128, Sector 6, Faridabad Accordingly it has been registered as reference No. 32 of 1987.

2. It has been stated by Shri Amar Singh Sharma, Representative of the workman that the workman has settled the matter in dispute with the management and as such he does not want to pursue this reference. In view of his statement, the reference is hereby consigned to records.

Dated 25th February, 1987.

A. S. CHALIA,
Presiding Officer,
Labour Court, Faridabad.

Endst. No. 576, dated 5th March, 1987.

Forwarded (Four Copies), to the Commissioner and Secretary to Government, Haryana, Labour and Employment Departments, Chandigarh, as required under section 15 of Industrial Disputes, Act.

A. S. CHALIA,
Presiding Officer,
Labour Court, Faridabad.